

Substitute for Form PTO-1390      U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 011525-408
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/541,201</b> Assigned
INTERNATIONAL APPLICATION NO. PCT/US2004/000024	INTERNATIONAL FILING DATE 02 January 2004	PRIORITY DATE CLAIMED 03 January 2003
TITLE OF INVENTION  <b>CONDIMENT DISPENSER</b>		
APPLICANT(S) FOR DO/EO/US Michael D. McMAHON and William F. RASILE		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 21 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: <u>Form PCT/IPEA/416; Form PCT/ISA/220; Form PCT/IPEA/409; Form PCT/ISA/210; Form PCT/ISA/237</u></p> <p>_____ _____ _____</p>		

U.S. APPLICATION NO. (If known) see 37 CFR 1.51 INTERNATIONAL APPLICATION NO. Unassigned <b>10/541201</b> PCT/US2004/000024		ATTORNEY'S DOCKET NUMBER 011525-408																																																																																																																																
<p>21. <input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>H.J. Heinz Corporation</u></p> <hr/> <hr/> <hr/> <hr/> <p>22. <input checked="" type="checkbox"/> The following fees are submitted:</p>		<b>CALCULATIONS PTO USE ONLY</b>																																																																																																																																
<p>Basic Filing Fee (1631)</p> <p>Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>26</td> <td>-20 =</td> <td>6</td> <td>× \$50.00 (1615)</td> </tr> <tr> <td>Independent Claims</td> <td>2</td> <td>-3 =</td> <td>0</td> <td>× \$200.00 (1614)</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00 (1616)</td> </tr> <tr> <td colspan="4">Examination Fee</td> <td>+ \$200.00 (1633)</td> </tr> <tr> <td colspan="4">Search Fee</td> <td>+ \$500.00 (1632)</td> </tr> <tr> <td colspan="4">App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)</td> <td></td> </tr> <tr> <td colspan="4"></td> <td align="center"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td align="right">\$ 900.00</td> </tr> <tr> <td colspan="4"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td> <td align="right">+</td> <td align="right">\$ 0.00</td> </tr> <tr> <td colspan="4"></td> <td align="center"><b>SUBTOTAL =</b></td> <td align="right">\$ 900.00</td> </tr> <tr> <td colspan="4"> Processing fee of \$130.00 (1618) for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). </td> <td align="right">\$ 0.00</td> </tr> <tr> <td colspan="4"></td> <td align="center"><b>TOTAL NATIONAL FEE =</b></td> <td align="right">\$ 900.00</td> </tr> <tr> <td colspan="4"> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property + </td> <td align="right">\$ 900.00</td> </tr> <tr> <td colspan="4"></td> <td align="center"><b>TOTAL FEES ENCLOSED =</b></td> <td align="right">\$ 900.00</td> </tr> <tr> <td colspan="4"></td> <td align="center"><b>Amount to be refunded :</b></td> <td align="right">charged :</td> </tr> <tr> <td colspan="4"> a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed. </td> <td align="right"></td> <td align="right"></td> </tr> <tr> <td colspan="4"> b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of <u>\$ 900.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. </td> <td align="right"></td> <td align="right"></td> </tr> <tr> <td colspan="4"> c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u>. A duplicate copy of this sheet is enclosed. </td> <td align="right"></td> <td align="right"></td> </tr> <tr> <td colspan="4"> d. <input type="checkbox"/> Charge _____ to credit card. Form PTO-2038 is attached. </td> <td align="right"></td> <td align="right"></td> </tr> <tr> <td colspan="6"> <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b> </td> </tr> <tr> <td colspan="6"> SEND ALL CORRESPONDENCE TO:    Burns, Doane, Swecker &amp; Mathis, L.L.P.  P.O. Box 1404  Alexandria, Virginia 22313-1404  (703) 836-6620 </td> </tr> <tr> <td colspan="6">   <b>SIGNATURE</b>  Matthew L. Schneider  <b>NAME</b> </td> </tr> <tr> <td colspan="6"> 32,814      July 5, 2005  REGISTRATION NO.      DATE </td> </tr> </tbody></table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total Claims	26	-20 =	6	× \$50.00 (1615)	Independent Claims	2	-3 =	0	× \$200.00 (1614)	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00 (1616)	Examination Fee				+ \$200.00 (1633)	Search Fee				+ \$500.00 (1632)	App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)									<b>TOTAL OF ABOVE CALCULATIONS =</b>	\$ 900.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Mike McMahon et al.

Application No.: US2004/000024

Filing Date: January 2, 2004

Title: CONDIMENT DISPENSER

Group Art Unit: Unassigned

Examiner: Unassigned

Confirmation No.: Unassigned

**GENERAL AUTHORIZATION FOR PETITIONS  
FOR EXTENSIONS OF TIME AND PAYMENT OF FEES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §1.136(a)(3), the U.S. Patent and Trademark Office is hereby provided with a general authorization to treat any concurrent or future reply requiring a petition for an extension of time for its timely submission as containing a request therefor for the appropriate length of time.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. § 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

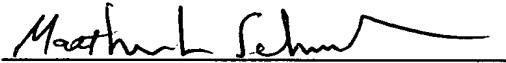
Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: July 5, 2005

By

  
Matthew L. Schneider  
Registration No. 32,814